



## INTERIOR BOARD OF INDIAN APPEALS

La Jolla Band of Mission Indians v. Acting Sacramento Area Director,  
Bureau of Indian Affairs

19 IBIA 112 (12/0/4/1990)



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
4015 WILSON BOULEVARD  
ARLINGTON, VA 22203

LA JOLLA BAND OF MISSION INDIANS,	:	Order Dismissing Appeal
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 89-100-A
ACTING SACRAMENTO AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	December 4, 1990

Appellant La Jolla Band of Mission Indians sought review by the Board of Indian Appeals (Board) of an August 1, 1989, decision of the Acting Sacramento Area Director, Bureau of Indian Affairs. The decision denied appellant's application for supplemental funds for an existing Aid to Tribal Government contract/grant under the Indian Self-Determination and Education Assistance Act.

Pursuant to Board orders issued on February 21 and April 27, 1990, the parties entered into and successfully concluded settlement negotiations. The Board received a copy of their agreement on July 27, 1990. Paragraph 5 of the agreement provided:

Upon satisfaction of the terms of this Agreement, the parties shall timely notify the Interior Board of Indian Appeals (IBIA), and shall seek dismissal of the appeal by mutual agreement. This provision is not intended to revoke or waive either party's right to unilaterally seek dismissal of the appeal at any time, or their right to seek a dissolution of a stay of the proceedings in order to prosecute the appeal if either party believes that the terms of this Agreement have not been complied with.

On December 3, 1990, the Board received a joint motion to dismiss. The motion states that the terms of the agreement previously submitted have been fulfilled.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal from the Acting Sacramento Area Director's August 1, 1989, decision is dismissed.

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//original signed  
Kathryn A. Lynn  
Chief Administrative Judge

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//original signed  
Anita Vogt  
Administrative Judge